

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, January 8, 2002, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Waller
Kramer
Pennington
Storrs
Starr
Reece
Wright
Chamberlain

Absent

Littman

Also Present:

Mark Miller, Planning Director
Susan Lancaster, Assistant City Attorney
Jordan Keoleian, Student Representative

RESOLUTION

Moved by Wright

Seconded by Waller

RESOLVED, that Lawrence Littman be excused from attendance at this meeting.

Yeas:

Abstain

Absent

All Present (8)

Littman

MOTION APPROVED

2. MINUTES

RESOLUTION

Moved by Wright

Seconded by Storrs

RESOLVED, that the November 27, 2001 Regular Meeting Minutes be tabled to the next Planning Commission Meeting on January 22, 2002.

Yeas:

All Present (8)

Abstain

Absent

Littman

MOTION APPROVED

RESOLUTION

Moved by Storrs

Seconded by Pennington

RESOLVED to approve the December 11, 2001 Planning Commission Regular Meeting Minutes as modified.

Yeas:

Reece

Kramer

Waller

Pennington

Storrs

Starr

Abstain

Wright

Chamberlain

Absent

Littman

MOTION APPROVED

3. PUBLIC COMMENTS

There were no public comments

SITE PLAN

4. SITE PLAN REVIEW (SP-871) – Fountain Park Condominium, East side of Rochester and North of Wattles, Section 15, R-1T

Mr. Miller stated that John Janviriya and Incas Construction submitted a Site Plan for the proposed Fountain Park Condominium. The subject property is part of lots 2, 3 and 4 of Supervisor's Plat No. 22 Subdivision, 2.74 acres, within the R-1T

Zoning District. City Council rezoned this property to its current district in December of 2001.

Mr. Miller further stated that the proposed attached condominium will include three (3) buildings with a total of 14 units, including attached two (2) car garages. Access to the garages for building 3, units A, were improved by increasing the drive area; however, a 100 degree turn is necessary to enter these garages and there is concern that the largest vehicles will have difficulties entering the garages. A single cul-de-sac type private road with access to Rochester Road is proposed. This private road configuration is somewhat unusual; however, City Staff's concerns for maneuverability were satisfied by the petitioner. In addition, Staff explored the feasibility of providing an inter-connection with Maya's Meadows Condominium south of the subject property, to reduce the number of curb cuts on Rochester Road. There was not a logical location for the inter-connection. Two private stormwater detention basins are included in the northeast and southeast corners of the proposed development. The Natural Features Map does not indicate natural features on the subject property. All Zoning Ordinance requirements have been met with the exception of a Planning Commission discretionary decision.

Mr. Miller further stated that Section 12.60.03 of the Zoning Ordinance requires a 50 feet wide berm along Rochester Road; however, the Planning Commission can modify this requirement through the use of retaining walls. The petitioner has utilized a retaining wall to provide driveway access to buildings 1 and 2.

Mr. Miller concluded that the Planning Department recommends approval of the Subject Preliminary Site Plan.

Mr. Starr commented on the unusual design and stated he was concerned about a guest turning into the site condo and how many vehicles could stack in there.

Mr. Miller stated there is approximately 15-20 feet of length and depending on the cars, maybe three (3) or four (4) cars could stack in the drive. The Planning Department did check out the private road and noted that it is somewhat unusual. There are only 14 units, it will not generate a lot of traffic. If someone does have a party, there may be a problem with parking; however, it does meet all ordinance requirements.

Mr. Kramer stated it looks like there is some attempt for a deceleration lane. What is that.

Mr. Miller replied it is not clear on the plan.

Mr. Kramer asked if one was required, that he is not aware of what the ordinance requires.

Mr. Miller stated that a deceleration lane is based on traffic generation, not the Zoning Ordinance.

Mr. Reece stated his concern about the curb cuts and asked if there was anything in the files pertaining to curb cuts or interconnection.

Mr. Miller stated that the Planning Department looked into these issue and have not found anything in the files.

Mr. Storrs asked if the detention basins are fenced.

Mr. Abdelnor, petitioner's architect, stated the fencing depends on the slope of the basin. If it does not slope too much, we won't have to fence.

Mr. Chamberlain stated that the detail of the detention basin is drawn as a 1 and 4 slope, that requires fencing, that he does not like.

Mr. Wright stated that this development does not have an area to plow snow.

Mr. Abdelnor stated there are some green areas available to put the snow. This issue was discussed with the Fire Department and Planning Department.

Mr. Wright stated that some of the private snow plow contractors come in and just push it out into the main thoroughfares (Rochester Road).

Mr. Abdelnor commented that this will be a very nice project and the developers have tried to solve a lot of problems. The placement of the garage doors makes the project more appealing and there is some very nice architectural details including some limestone detail. The owner will do his very best to make it a very nice project.

Mr. Chamberlain stated that the Planning Commission does want a deceleration lane on Rochester Road and no fencing around the detention ponds.

Mr. Waller commented on the retaining wall along Rochester Road and it is better than a berm.

Mr. Kramer stated there is a 35 foot setback for this type of zoning, how large a deck or patio could you put on the back of the unit before you would encroach. You could be in the setback area right away.

Mr. Miller stated that the units are at the setback area.

Mr. Chamberlain stated that the real problem is density and there doesn't seem to be any solutions. We will be creating cases for the BZA.

Mr. Kramer commented that a deck wouldn't be a hardship because it comes with the land.

Mr. Reece stated that he thinks it is an excellent plan; however, he does have concern over the number of curb cuts. He stated we should find an alternative to the curb cut.

Mr. Waller stated that he felt that Mr. Miller did a good job addressing this plan as he did. This is one of the first attached condominiums and we have to address interconnection in the future.

Mr. Chamberlain stated that we need to get into access issues, if nothing else, pedestrian access. Interconnection is an issue for all future projects. We have to figure out how to improve R-1T developments; however, we cannot hold this petitioner hostage because he meets all requirements.

RESOLUTION

Moved by Waller

Seconded by Kramer

RESOLVED, that Preliminary Site Plan Approval request for the Fountain Park Condominium, located on the east of side of Rochester and north of Wattles, being 2.74 acres, within the R1 -T Zoning District, is hereby granted, subject to the following conditions being met:

1. Provision of the deceleration lane on Rochester Road.
2. Retaining wall in lieu of a 50 ft. wide berm.
3. Unfenced detention pond is a desired Engineering goal.
4. Any changes to the approve Preliminary Site Plan must come back to the Planning Commission for approval.

Yeas:

Wright
Chamberlain
Waller
Kramer
Pennington

Nays:

Reece
Starr
Storrs

Absent:

Littman

MOTION APPROVED

Mr. Miller commented that detention ponds with a slope of 6 and 1 or less do not require fencing and slopes greater than 4 on 1 are not permitted. He further commented the deceleration lane is required when traffic generation standards are achieved.

Mr. Starr stated he was concerned about three issues; detention basins, snow plowing, and he doesn't think the Planning Commission is ready to deal with these developments.

Mr. Reece stated that there is a health, safety, and welfare issue and reducing the density could be helpful. In addition, interconnection, cross-access and joint access should be addressed. Finally, we should be looking at other ways this land could be developed in the future.

Mr. Storrs stated he was opposed to the fenced detention pond and there are a lot of potential problems with no solutions, i.e., parking, snow removal, etc.

RESOLUTION

Moved by Waller

Seconded by Kramer

RESOLVED, that the Planning Commission hereby recommends to the City Council that the private street system proposed to serve the Residential Condominium on the east of side of Rochester and north of Wattles, being 2.74 acres, within the R1-T Zoning District be approved in accordance with the site plan as presented and approved on this date, in accordance with Section 11.50.04 of the Zoning Ordinance, subject to the provision of sidewalk and utility easements as determined to be necessary by the City Staff, is hereby granted, subject to the following conditions being met:

1. Provision of the deceleration lane on Rochester Road.
2. Retaining wall in lieu of a 50 ft. wide berm.
3. Unfenced detention pond is a desired Engineering goal.
4. Any changes to the approve Preliminary Site Plan must come back to the Planning Commission for approval.

Yeas:

Wright
Chamberlain
Waller
Kramer
Pennington

Nays:

Reece
Starr
Storrs

Absent:

Littman

MOTION APPROVED

Mr. Starr stated he was concerned about the detention basins and that he does not feel that the Planning Commission is quite ready to approve R-1T developments.

Mr. Reece stated that a health, safety, and welfare issue might be resolved by reducing the density. Interconnection should be addressed and we should be looking at other ways this land could be developed in the future.

Mr. Storrs stated he was against the fenced detention pond. There are a lot of potential problems with no solution, i.e., parking, snow removal, etc.

5. SITE PLAN REVIEW (SP-870) – Troy Professional Building, Office Building, West side of Dequindre and South of Wattles, Section 24, O-1

Mr. Miller stated that Harry and Sunnie Kwon submitted a Site Plan for the Troy Professional Building. The subject property is lots 23 and 24 of Eyster's Dequindre Farms Subdivision within the O-1 Zoning District. Both lots were rezoned to O-1 in 2001 by City Council. The proposed building is 5,100 square feet in size with a single driveway access to Dequindre Road. Cross-access easement is provided to the property to the north. A privately owned stormwater detention basin is provided, with a 4 to 1 slope; therefore, fencing is required. A six feet wall is provided on the south property line; however, the petitioner has noted intention to seek variance from the wall requirement at the Board of Zoning Appeals. There are no natural features indicated on the subject property.

Mr. Miller concluded that all Zoning Ordinance requirements are met by the office development proposal. The Planning Department recommends approval of the Preliminary Site Plan.

Mr. Waller asked if they were to physically add a structure on the property, would that cause the detention pond to be altered.

Mr. Miller commented regarding the size requirements of a detention basin. The petitioner indicated they cannot modify the basin to a 6 to 1.

Tom Sobel of Spalding Dedecker, Engineer for the Petitioner, commented on the project being a one-story masonry office building. It is one of three possible future phases and stormwater detention is based on the current proposal. Initially, the detention pond was on the east side of the property off Dequindre; however, Engineering asked us to relocate to the west side. Further, he stated that there is a stormwater connection to Birchwood Site Condominiums.

Mr. Keoleian asked if there were sidewalks.

Mr. Sobel answered yes, that there are existing 8 foot sidewalks.

Mr. Storrs stated there is a shallow swale that runs around the building. What would it really take to incorporate the detention into some kind of creative design.

Mr. Sobel stated that their appropriate stormwater outlet is not Dequindre.

Mr. Waller asked if there were any discussions regarding a deceleration lane.

Mr. Sobel stated they had discussed this issue with the road commission. They stated it probably would not be appropriate to put one in because it would be torn up when the road commission constructs the new road within the next two years.

Mr. Waller asked if the existing road is shown on the plan.

Mr. Sobel replied yes.

Mr. Chamberlain stated that the deceleration lane probably will not happen.

Mr. Kramer asked if roof top elevations are proposed.

Mr. Sobel replied there are no roof units.

Mr. Chamberlain stated there will be no detention pond allowed on Dequindre.

RESOLUTION

Moved by Starr

Seconded by Storrs

RESOLVED, that Preliminary Site Plan Approval request for a 5,100 square foot building known as the Troy Professional Building, Office Building, lots 23 and 24 of Eyster's Dequindre Farms Subdivision, located on the west side of Dequindre and south of Wattles, in Section 24, within the O-1 Zoning District, is hereby granted, subject to the following conditions:

1. Stormwater detention basin will be constructed with a 1 on 6 slope with no fencing.
2. Any changes to this site plan will require Planning Commission approval.

Mr. Waller requested that Ms. Lancaster comment on the development standards pertaining to the 1 on 4 slope. The Petitioner claims that 1 on 4 is within the legal requirements.

Ms. Lancaster stated that the Planning Commission is within their authority to exercise due caution and to amend the requirements when it comes to health, safety, and welfare issues.

Mr. Waller asked if the Planning Commission had the same authority pertaining to the wall.

Ms. Lancaster answered no, the Board of Zoning Appeals have the authority to waive this requirement.

Yeas:

Nays:

Absent:

All Present (8)

Littman

MOTION APPROVED

6. SITE PLAN REVIEW (SP-735) – Heller Machine Tool Industrial Building Expansion, West of Crooks, North side of Equity Dr., Section 32, M-1

Mr. Miller stated that Campbell/Manix Associates is the petitioner for the Heller Machine Tools Industrial Building expansion. The subject property is 10.047 acres and located within the M-1 Zoning District. There is an existing single driveway access to Equity Drive. The existing building received Site Plan Approval in 1994 and 1999, with City Council granting a parking variance of 65 spaces in 1999 (minutes enclosed). In addition, the Board of Zoning Appeals granted a variance to February 2002 for a temporary tent structure (minutes enclosed). There are no natural features located on the subject property.

Mr. Miller further stated that Section 39.70.09 of the Zoning Ordinance requires the dumpster to be screened on three sides. The Planning Commission may waive the screening if it is determined the location is obscured from any abutting streets and no other significant negative effects will result from the waiver.

Mr. Miller concluded stating that all Zoning Ordinance requirements, with the exception of the dumpster screening, are met by the proposed industrial building expansion. The Planning Department recommends approval of the Preliminary Site Plan with due consideration of the dumpster screening.

Mr. Waller asked if the dumpster is clearly unscreened.

Mr. Miller stated screening of the dumpsters is required and there is none proposed on the site plan.

Mr. Robert Jordan of Campbell/Manix, Petitioner, stated that the dumpster is currently screened in by wood. However, they would change the wood fences to screening if necessary.

Mr. Storrs asked if the dumpsters could be relocated further away from the Wal Mart store.

Mr. Jordan stated he was sure that they could find another location for the dumpsters if necessary.

RESOLUTION

Moved by Starr

Seconded by Waller

RESOLVED, that Preliminary Site Plan Approval request for the Heller Machine Tool Industrial Building Expansion, west of Crooks and on the north side of Equity Drive, Section 32, being 10.047 acres in size within the of M-1 Zoning District, is hereby granted, subject to the following conditions:

1. That dumpster screening be provided per Zoning Ordinance requirements.

Yeas:

Nays:

Absent:

All Present (8)

Littman

MOTION APPROVED

7. PUBLIC HEARING – FUTURE LAND USE PLAN & TRANSPORTATION PLAN

Mr. Miller stated, in accordance with the Municipal Planning Act (Public Act 285, 1931 as amended) the Planning Commission is required to conduct one public hearing prior to the adoption of the Future Land Use Plan and Transportation Plan. The notification process included a public hearing notice in the Troy-Somerset Gazette and registered mail notice to the City's public utility and railroad companies. The adoption of the Plans shall be by resolution of the Planning Commission carried by the affirmative votes of not less than six (6) members of the Planning Commission. The resolution shall refer expressly to the maps and text intended by the Planning Commission to form the whole or part of the Plan. An attested copy of the Plan shall then be certified to City Council and to the Register of Deeds. Mr. Miller then summarized the Future Land Use Plan and its components.

Mr. Chamberlain stated that the Natural Features Map should be cross-referencing flood plain information and strike revisions on the Transportation Plan, and to leave the Natural Features Map dates blank.

Mr. Storrs commented on the fact that the Transportation Plan was never made available to SEMCOG and that we might recommend after we adopt the Master Plan, that we send it to them.

Mr. Waller commented on the Transportation Plan related to the 10 ft. safety and walkway path, and asked if anyone has corresponded or communicated with those who own property in the proposed location.

Mr. Miller stated there has been no staff communication.

Public hearing opened.

Mary Bogush of 5916 Patterson, Troy asked why the fire pots or preservation areas referenced were to be removed.

Mr. Chamberlain stated they were not necessarily located correctly. Natural Features Map will achieve the same goal as the fire pots or preservation areas.

Mr. Storrs stated if you look at it another way, the fire pots were the totality of the natural features designation, while the Natural Features Map is very specific.

Public hearing closed.

Mr. Chamberlain stated that we should delete all revision dates on the Maps and Plans.

He further stated the following:

1. Revise Date on Transportation Plan.
2. Flood Plan notation provided.
3. Delete draft date on all maps.

RESOLUTION

Moved by Pennington

Seconded by Reece

RESOLVED, the Future Land Use Plan of the City of Troy consists of goals, objectives, policies and graphic representations which serve as a guide for the development of the City.

BE IT FURTHER RESOLVED, that the Future land Use Plan includes a text document and three graphic maps that include the Future Land Use Plan, Transportation Plan and Natural Features Map.

BE IT FURTHER RESOLVED, by it's nature, the Future Land Use Plan must be flexible so that it can be sensitive and responsive to the social, economic and physical development trends and realities of the City as well as the total region of which Troy is a part.

BE IT FURTHER RESOLVED, that the Future Land Use Plan be adopted in accordance with the Municipal Planning Act, Public Act 285, 1931, as amended.

Yeas:

Nays:

Absent:

All Present (8)

Littman

MOTION APPROVED

8. ELECTION OF PLANNING COMMISSION OFFICERS

RESOLUTION

Moved by: Waller

Seconded by: Reece

RESOLVED, that Gary Chamberlain and Lawrence Littman be nominated to serve as Chairman and Vice Chairman of the Planning Commission, respectively, for 2002, and that Cynthia Pennington and Dave Waller be recommended to the City Council as the Commission's Board of Zoning Appeals representative and alternate, respectively, for 2002, and

BE IT FURTHER RESOLVED, that nominations be closed and that these officers be elected and representatives recommended, as indicated.

Yeas:

Nays:

Absent:

All Present (8)

Littman

MOTION APPROVED

FOR THE GOOD OF THE ORDER

Mr. Chamberlain discussed cross-access for attached condos. He stated that we need to deal with it sooner than later. We also need to review the Ordinance on Special Use approval, and therefore, I would propose tonight that we have more than one Special Study meeting a month. It took us 1½ years to do this (Future Land Use Plan). He would like to see two special study meetings a month.

Mr. Starr stated that is a 50% increase in study meetings.

Mr. Wright stated he might have a problem with doing it the first Tuesday of the month and will have a problem with spring break week.

Mr. Chamberlain stated that in the last two or three years, we have had full commission present and we've got to move quickly on a number of issues.

Mr. Reece commented on a Master Curb-Cut Plan. He stated other communities do it! He stated that even if you came in for a sign permit, you had to do a new curb cut. It was a health, safety, and welfare issue.

Mr. Chamberlain commented on the article *The Folly of "Smart Growth"* that Mr. Miller e-mailed to all stating that it was a good article and that all should read in its entirety.

Mr. Waller stated that if we do three meetings a month, we should eliminate the summer months, June, July, and August.

Mr. Reece commented on the Standard Federal on Dequindre and the drive-thru window stacking up with vehicles almost to Dequindre.

Mr. Storrs asked who is responsible for the Development Standards.

Mr. Miller replied City Council, although Engineering Department is responsible for the development and implementation.

Establishment of Meeting Schedule – 2002

RESOLUTION

Moved by Pennington

Seconded by Storrs

RESOLVED, that the Troy City Planning Commission hereby establishes the following schedule for their meetings during the calendar year 2002:

1. Regular Meetings will be held on the second Tuesday of each month.
2. Special/Study Meetings will be held on the fourth Tuesday of each month, as necessary, with the exception of December 24th.
3. Additional Special/Study Meetings will be held on the first Tuesday of the month, as necessary.

Yeas:

Nays:

Absent:

All Present (8)

Littman

MOTION APPROVED

MEETING ADJOURNED 9:15 P.M.

Respectfully submitted,

Mark F. Miller
Planning Director